

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA

FTS GROUP, INC.,

Plaintiff,

v.

ALPHA CAPITAL ANSTALT, WHALEHAVEN
CAPITAL FUND LIMITED, ELLIS
INTERNATIONAL, LTD., PLATINUM LONG
TERM GROWTH V and RICHARD E. MILLER,

Defendants.

CIVIL ACTION NO. 2:09-cv-0025

(Electronically Filed)

STIPULATION OF DISMISSAL

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), we, the attorneys for the respective parties,
hereby stipulate to dismissal of the above-captioned action with prejudice.

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Capital Fund Limited, Ellis
International, Ltd., and Richard E.
Miller*

SO ORDERED, this 24th day of April, 2009.

Gerv L. Lancaster
Gerv L. Lancaster, U.S. District Judge